

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES

v.

DARIUS A. PADUCH,

*Defendant.*

Crim. No. 1:23-cr-181 (RA)

**DECLARATION OF  
DARIUS A. PADUCH**

**DARIUS A. PADUCH**, hereby declares pursuant to 28 U.S.C. § 1746:

1. On August 21, 2024, I was brought into the unit team office and asked to sign the form appended as D4. After signing the form, I was given a copy of the form (D4), a letter from AUSA Colson to MDC Attorney Kull (D1), a hard drive, and a cable.
2. The hard drive contained discovery from my case for my review in preparation for trial.
3. Without the benefit of the discovery on the hard drive I was not able to make an informed decision to testify on my own behalf or consult counsel in my own defense.
4. On May 6, 2024, the Court asked me if I wanted to testify and I chose not to. At that time, I did not have the benefit of the missing hard drive.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 11<sup>th</sup>, 2024

  
Darius A. Paduch